

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL ACTION NO. 1:20-CV-00161-KDB**

**KEVIN DAVID ORR,**

**Plaintiffs,**

**v.**

**KILOLO KIJAKAZI , Acting  
Commissioner of Social Security**

**ORDER**

**BEFORE THE COURT** is the Consent Motion of Plaintiff, Kevin David Orr, for award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Based on the pleadings as well as recognizing Plaintiff's waiver of direct payment and assignment of EAJA to her counsel, the Court will **GRANT** the Motion.

**IT IS HEREBY ORDERED** that attorney fees in the amount of Five Thousand Six Hundred Dollars and Zero Cents (\$5,600.00) and costs in the amount of Four Hundred Dollars and Zero Cents (\$400.00) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff. *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

The Court hereby awards EAJA fees, broken down as follows:

1. Plaintiff is awarded \$5,600.00 in attorney's fees under 28 U.S.C. § 2412 (d).
2. Plaintiff shall be paid \$400.00 in costs from the Judgment Fund by the U.S. Department of Treasury pursuant to 28 U.S.C. § 2412(a)(1).

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees and costs are not subject to offset allowed under the Department of the Treasury's Offset Program (TOPS), then

the check for EAJA fees, expenses, and costs shall be made payable to Plaintiff's attorney, the Olinsky Law Group.

Whether the check is made payable to Plaintiff, the check shall be mailed to Olinsky Law Group at the following address:

250 South Clinton Street Suite 210

Syracuse, NY 13202

**SO ORDERED.**

Signed: November 29, 2021

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge

